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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/867,607	05/31/2001	Masashi Inoue	0879-0315P	7047

2292 7590 08/12/2004

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EXAMINER	
YE, LIN	

ART UNIT	PAPER NUMBER
2615	3

DATE MAILED: 08/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/867,607	Applicant(s) INOUE ET AL.	
	Examiner Lin Ye	Art Unit 2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 May 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claim 1, 4 and 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Aotake U.S. Patent 6,411,771 in view of Magai et al. J.P. Publication 09-168109.

Referring to claim 1, the Aotake reference discloses in Figure 10, an image quality selecting method, comprising the steps of: displaying selectable candidates for a number of imaging pixels and image compression rates in a two-dimensional arrangement (shown in the table of Fig 10) on a setting screen for setting an image quality (recording mode set is displayed, see Col. 29, lines 37-44); presenting to a user combinations of selectable number of imaging pixels (such as 320x240, 352x240, 160x112 or 112x180) and the image compression rates (High, Normal, Long or Network). However, the reference does not explicitly to show a detail for select recording quality mode by moving a cursor on the setting screen.

The Magai reference discloses in Figures 3-5, the camera setting data files shown in a list on a two-dimensional display (108), and selected by a cursor on the setting screen (See Abstract, Solution Section). The Magai reference is evidence that one of ordinary skill in the art at the time to see more advantages for the camera system

using instruction key to move a cursor on the setting screen so that the camera setting mode or data can be quickly an easily selected by user. For that reason, it would have been obvious to see the camera system receiving an instruction for moving a cursor on the setting screen; and changing a setting to the number of pixels and the image compression rate which are pointed by the cursor after designating a position of the cursor disclosed by Aotake.

Referring to claim 4, the Aotake and Magai references disclose all subject matter as discussed in respected claim 1, and the Magai reference disclose the camera setting data which have been set in a previous setting is stored; and wherein camera setting data is changed by key operation part (107), the cursor automatically moves to a position of the other of camera setting data in the previous setting according to the stored information (i.e., camera setting 3 move to camera setting 2 as showing in Figure 4a-B).

Referring to claim 5, the Aotake and Magai references disclose all subject matter as discussed in respected claim 1, and the Magai reference disclose camera setting data is changed by key operation part (107), the cursor automatically moves to a position of the other of camera setting data in a predetermined default (i.e., camera setting template mode as shown in Figure 6).

3. Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aotake U.S. Patent 6,411,771 in view of Magai et al. J.P. Publication 09-168109 and Mizoguchi U.S. Patent 6,407,772.

Referring to claims 2-3, the Aotake and Magai references disclose all subject matter as discussed in respected claim 1, except that the references do not explicitly

show the remaining umber of images for recoding still images or a remaining time for recording a moving images are displayed on the setting screen.

The Mizoguchi reference discloses in Figure 2-6, the digital camera can record still images or moving images, the remaining umber of images or a remaining time is displayed on the setting screen according to the image quality recording mode selected (See Col. 3, lines 51-67). The Mizoguchi reference is evidence that one of ordinary skill in the art at the time to see more advantages for the camera system be able to display the remaining number images for recording still images and remaining time for recoding moving image so that the user can easily to see the capacity of recording device without need separate storages for still images and moving images. For that reason, it would have been obvious to see the remaining umber of images for recoding still images or a remaining time for recording a moving images are displayed on the setting screen in accordance with the number of imaging pixels and image compression rate which are selected with the cursor disclosed by Aotake.

4. Claims 6-7 and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mizoguchi U.S. Patent 6,407,772 in view of Magai et al. J.P. Publication 09-168109.

Referring to claim 6, the Mizoguchi reference discloses in Figure 1, a single digital camera integrates the taking lens (31), imaging device (32) that converts light which enters through said taking lens into electric signals; signal processing part (2 and 3) for processing the signal outputted from said imaging device; a recording instruction (CPU 14) input operation part that instructs start of recording in order to obtain an image; a recording device (5) that records an image in a storage medium, the image being photographed in response to an operation of said recording

instruction input operation part and a display device (7); an image quality setting device that changes a setting to the number of pixels and the image compression rate (e.g., See Figure 2-6, the compression rate is changed, the pixel numbers in the image is also varied inherently). However, the reference does not explicitly to show a detail for select recording quality mode by moving a cursor on the setting screen.

The Magai reference discloses in Figures 3-5, the camera setting data files shown in a list on a two-dimensional display (108), and selected by a cursor on the setting screen (See Abstract, Solution Section). The Magai reference is evidence that one of ordinary skill in the art at the time to see more advantages for the camera system using instruction key to move a cursor on the setting screen so that the camera setting mode or data can be quickly an easily selected by user. For that reason, it would have been obvious to see the camera system receiving an instruction for moving a cursor on the setting screen; and changing a setting to the number of pixels and the image compression rate which are pointed by the cursor after designating a position of the cursor disclosed by Mizoguchi.

Referring to claim 7, the Mizoguchi reference discloses in a calculation device (CPU 14) that calculating at least one of the number of photographable images and a remaining time for recording a moving image from capacity of said storage medium with respect to recording mode set, wherein the at least one of the number of photographable images and the remaining time calculated by the calculation device with respect to each mode setting is displayed on said setting screen as shown in Figures 2-6.

Referring to claim 9, the Magai and Mizoguchi references disclose all subject matter as discussed in respected claim 6, and the Magai reference disclose the camera setting data which have been set in a previous setting is stored; and wherein camera setting data is changed by key operation part (107), the cursor automatically moves to a position of the other of camera setting data in the previous setting according to the stored information (i.e., camera setting 3 move to camera setting 2 as showing in Figure 4a-B).

Referring to claim 10, the Magai and Mizoguchi references disclose all subject matter as discussed in respected claim 6, and the Magai reference disclose camera setting data is changed by key operation part (107), the cursor automatically moves to a position of the other of camera setting data in a predetermined default (i.e., camera setting template mode as shown in Figure 6).

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mizoguchi U.S. Patent 6,407,772 in view of Magai et al. J.P. Publication 09-168109 and Aotake U.S. Patent 6,411,771.

Referring to claim 8, the Mizoguchi and Magai references disclose all subject matter as discussed in respected claims 1-3 and 6, except the references does not explicitly show a table is prepared in which one of the selectable candidates for said number of imaging pixels and the image compression rate is horizontally lined up as a row, and the other is vertically lined up as a column on said setting screen.

The Aotake reference discloses a table is prepared in which one of the selectable candidates for said number of imaging pixels and the image compression rate is

horizontally lined up as a row, and the other is vertically lined up as a column on said setting screen; and the remaining time for recording a moving image for the combination is displayed in each cell of the table as shown in Figure 10. The Aotake reference is evidence that one of ordinary skill in the art at the time to see more advantages for the camera system be able to display a table to show both image compression rate and number of imaging pixels has been selected on the selected screen so that user can see what kind size of image will be produced more easily and estimate remained capability of storage in the camera quickly. For that reason, it would have been obvious to see the camera system be able to display a table is prepared in which one of the selectable candidates for said number of imaging pixels and the image compression rate is horizontally lined up as a row, and the other is vertically lined up as a column on said setting screen by Mizoguchi.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

    a. Akazuka J.P. Publication 62-252583 discloses a table for recording mode set, and computes the remaining number of images that can be stored in storage corresponding to change in the recording length.

    b. Takahashi et al. U.S. 6,337,928 discloses in figure 7, a camera-setting screen for selecting pixel numbers (707) and compression rate (709 or 710).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Lin Ye** whose telephone number is **(703) 305-3250**. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on (703) 308-9644.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, DC. 20231

Or faxed to:

(703) 872-9306

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

ANDREW CHRISTENSEN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

Lin Ye
August 9, 2004